SAO 472 (Rev. 3/86) Order of Detention Pending Trial

| UNITED STATES OF AMERICA  V.  MICHAEL J. MOSTOVLYAN  Definition  In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending SENTENCING in this case. AND bail previously imposed is hereby revoked.  Part I — Findings of Fact    (1) The defendant is charged with an offense described in 18 U.S.C. § 3142(f) and has been convicted of a   foderal offense   state or or local affense that would have been a federal offense if a circumstance giving rise to federal jurisdiction had existed   that is   a crime of violence as defined in 18 U.S.C. § 3145(6)(4).    a no ffense for which a maximum term of imprisonment of ten years or more is prescribed in   a felony that was committed after the defendant had been convicted of two or more prior federal offenses described in 18 U.S.C. § 3145(6)(4).    a follow, that was committed after the defendant had been convicted of two or more prior federal offenses described in 18 U.S.C. § 3145(2)(1), APC, to comparable state or local offenses.    3 Aperiod of not more than they years has calaged since the   date of conviction   clease of the defendant prince of the offense described in finding (1) was committed while the defendant was on release pending SENTENCING for a federal, state or local offenses of the offense described in finding (1).    4 Findings Nos. (1), (2) and (3) stablish a rebutable presumption that no condition or combination of conditions will reasonably assure the safety of (an) other person(s) and the community. I further find that the defendant has not rebutted this presumption.    Alternative Findings (8)   1 There is a serious risk that the defendant will endanger the safety of findings (B)   1 There is a serious risk that the defendant will endanger the safety of another person or the community.    Part III—Written Statement of Reasons for Detention   1 The defendant is committed to the custody of the Altomacy Vindings (B)   1 There is a serious r                         | UNITED STATES DISTRICT COURT   |  |                 |                                  |  |
|--|--|--|-----------------|----------------------------------|--|
| MICHAEL J. MOSTOVLYAN  Defendent  In accordance with the Bail Reform Act, IS U.S.C. § 3142(I), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending SENTENCING in this case AND bail previously imposed is hereby revoked.  Part I—Findings of Fact  (1) The defendant is charged with an offense described in 18 U.S.C. § 3142(I)(I) and has been convicted of a federal offense in a crime of violence as defend in 18 U.S.C. § 3142(I)(I) and has been convicted of a federal offense in a crime of violence as defined in 18 U.S.C. § 3142(I)(I) and has been convicted of a federal offense in that would have been a federal offense in a crime of violence as defined in 18 U.S.C. § 3142(I)(I) (I) and has been convicted of a federal jurisdiction had existed in that is a crime of violence as defined in 18 U.S.C. § 3142(I)(I)(I)(I) (I) (I) (I) (I) (I) (I) (I)   |  | FOR THE  | District of     | NEW JERSEY                       |  |
| Alexantive Findings (No. 2)   Aperiod of nor maximum term of imprisonment of ten years or more is prescribed in 18 U.S.C.   \$3142(f), and tention hearing has been held. I conclude that the following facts require the detention of the defendant is charged with an offense described in 18 U.S.C.   \$3142(f)(1) and has been convicted of a   federal offense   state or local offense that would have been a federal offense in 18 U.S.C.   \$3142(f)(1) and has been convicted of a   federal offense   state or local offense that would have been a federal offense in 18 U.S.C.   \$3142(f)(1) and has been convicted of the maximum sentence is life imprisonment of ceath.   an offense for which a maximum network of imprisonment of ten years or more is prescribed in 18 U.S.C.   \$3142(f)(1)(A)(C), or comparable state or local offenses.   \$3142(f)(f)(A)(f) |  | UNITED STATES OF AMERICA   |                 |                                  |  |
| In accordance with the Bait Reform Act, 18 U.S. C. § 3142(f)(), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending SENTENCING in this case AND bail previously imposed is hereby revoked.  [1] The defendant is charged with an offense described in 18 U.S.C. § 3142(f)(1) and has been convicted of a   |  | MICHAEL J. MOSTOVLYAN  |                 |                                  |  |
| O1 The defendant is charged with an offense described in 18 U.S.C. § 3142(D(t)) and has been convicted of a   federal offense   state or local offense that would have been a federal offense if a circumstance giving rise to federal jurisdiction had existed that is   a crime of violence as defined in 18 U.S.C. § 3156(a)(4).   an offense for which the maximum sentence is life imprisonment or death.   an offense for which a maximum term of imprisonment or fense years or more is prescribed in   a felony that was committed after the defendant had been convicted of two or more prior federal offenses described in finding (1) was committed white the defendant was on release pending SENTENCING for a federal, state or local offenses.   3142(D(1)A)-I(C), or comparable state or local offenses.   3142(D(1)A)-I                           | In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending <b>SENTENCING</b> in this case AND bail previously imposed is hereby revoked.   |  |                 |                                  |  |
| \$ 3142(D1)(A)-(C), or comparable state or local offenses.  (2) The offense described in finding (1) was committed while the defendant was on release pending SENTENCING for a federal, state or local offense for the offense described in finding (1).  A period of not more than five years has elapsed since the   | (1)  | (1) The defendant is charged with an offense described in 18 U.S.C. § 3142(f)(1) and has been convicted of a federal offense state or local offense that would have been a federal offense if a circumstance giving rise to federal jurisdiction had existed a crime of violence as defined in 18 U.S.C. § 3156(a)(4) an offense for which the maximum sentence is life imprisonment or death. |                 |                                  |  |
| Alternative Findings (A)    (1) There is probable cause to believe that the defendant has committed an offense   for which a maximum term of imprisonment of ten years or more is prescribed in   under 18 U.S.C. § 924(c).    (2) The defendant has not rebutted the presumption established by finding 1 that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.    Alternative Findings (B)   (1) There is a serious risk that the defendant will not appear.   (2) There is a serious risk that the defendant will endanger the safety of another person or the community.    Part III—Written Statement of Reasons for Detention   find that the credible testimony and information submitted at the hearing establishes by   clear and convincing evidence   a preponderance of the evidence that    Part III—Directions Regarding Detention  | <ul> <li>§ 3142(f)(1)(A)-(C), or comparable state or local offenses.</li> <li>(2) The offense described in finding (1) was committed while the defendant was on release pending SENTENCING for a federal, state or local offense.</li> <li>(3) A period of not more than five years has elapsed since the date of conviction release of the defendant from imprisonment for the offense described in finding (1).</li> <li>(4) Findings Nos. (1), (2) and (3) establish a rebuttable presumption that no condition or combination of conditions will reasonably assure the</li> </ul>                              |  |                 |                                  |  |
| There is probable cause to believe that the defendant has committed an offense   for which a maximum term of imprisonment of ten years or more is prescribed in   under 18 U.S.C. § 924(c.)     (2) The defendant has not rebutted the presumption established by finding 1 that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.    Alternative Findings (B)     (1) There is a serious risk that the defendant will not appear.   (2) There is a serious risk that the defendant will endanger the safety of another person or the community.    Part III—Written Statement of Reasons for Detention     I find that the credible testimony and information submitted at the hearing establishes by   clear and convincing evidence   a preponderance of the evidence that  |  |  |                 |                                  |  |
| the appearance of the defendant as required and the safety of the community.    Alternative Findings (B)     (1) There is a serious risk that the defendant will endanger the safety of another person or the community.    Part II—Written Statement of Reasons for Detention     I find that the credible testimony and information submitted at the hearing establishes by   clear and convincing evidence   a preponderance of the evidence that   | <u> </u>   | (1) There is probable cause to believe that the defendant has committed an offense  for which a maximum term of imprisonment of ten years or more is prescribed in   |                 |                                  |  |
| Alternative Findings (B)  (1) There is a serious risk that the defendant will not appear.  (2) There is a serious risk that the defendant will endanger the safety of another person or the community.  Part III—Written Statement of Reasons for Detention  I find that the credible testimony and information submitted at the hearing establishes by clear and convincing evidence a preponderance of the evidence that  Part III—Directions Regarding Detention  The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an atomety for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States masshal for the purpose of an appearance in connection with a court proceeding.  February 28, 2017  Date  Renée Marie Bumb, United States District Judge   | <u>(2)</u>   |  |                 |                                  |  |
| Part III—Written Statement of Reasons for Detention  I find that the credible testimony and information submitted at the hearing establishes by clear and convincing evidence a preponderance of the evidence that  Part III—Directions Regarding Detention  The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States passhal for the purpose of an appearance in connection with a court proceeding.  February 28, 2017  Date  Signature of Judicial Officer  Renée Marie Bumb, United States District Judge   |  |  |                 |                                  |  |
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|  |  |  | Renée Marie Bur | nb, United States District Judge |  |

<sup>\*</sup>Insert as applicable: (a) Controlled Substances Act (21 U.S.C. § 801 et seq.); (b) Controlled Substances Import and Export Act (21 U.S.C. § 951 et seq.); or (c) Section 1 of Act of Sept. 15, 1980 (21 U.S.C. § 955a).